

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1526**

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**Introduced by Assembly Member Fletcher**

February 27, 2009

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~~An act to amend Section 10 of the Food and Agricultural Code, relating to agriculture. An act to add Part 4 (commencing with Section 19600) to Division 9 of the Food and Agriculture Code, relating to wildlife.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1526, as amended, Fletcher. ~~Agriculture.~~ *The Wildlife Center.*

*Existing law provides that there is in state government the Department of Food and Agriculture and prescribes various duties, powers, and responsibilities of the department.*

*This bill would require the department, upon inspection and approval of the facility, to grant the Wildlife Center a permit to operate for at least 5 years. The bill would provide that the department is the sole state licensing agency over the Wildlife Center. The bill would authorize the department to charge the Wildlife Center a fee for the initial permit and for any subsequent renewals and inspections to cover the department's costs for those activities. The bill would require the Department of Fish and Game, upon the request of the Wildlife Center, to release the remains of Cotie, a dog/coyote hybrid, to the Wildlife Center.*

*Under existing law, a violation of the provisions of this bill would be a misdemeanor. Because this bill would create new crimes, the bill would impose a state-mandated local program.*

*This bill would declare that, due to the special circumstances applicable to the Wildlife Center, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution, and the enactment of a special statute is therefore necessary.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

~~Existing law provides that whenever any notice, report, statement, or record is required by provisions of law relating to agriculture, it shall be in writing unless it is expressly provided that it may be oral.~~

~~This bill would provide that written notices, reports, statements, or records may be transmitted electronically or by facsimile.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: ~~no~~ yes.

*The people of the State of California do enact as follows:*

1     *SECTION 1. This act shall be known, and may be cited, as*  
2     *Cotie's Law.*

3     *SEC. 2. Part 4 (commencing with Section 19600) is added to*  
4     *Division 9 of the Food and Agricultural Code, to read:*

5  
6                     *PART 4. WILDLIFE*

7  
8     19600. (a) *The Department of Food and Agriculture shall,*  
9     *upon inspection and approval of the facility, grant the Wildlife*  
10    *Center, a nonprofit animal shelter and rescue organization under*  
11    *Section 501(c)(3) of the Internal Revenue Code and located in San*  
12    *Diego County, a permit to operate for a period of at least five*  
13    *years. The department shall be the sole state licensing agency over*  
14    *the Wildlife Center.*

15    (b) *The department may charge the Wildlife Center a fee for*  
16    *the initial permit and for any subsequent renewals and inspections*  
17    *to cover the department's costs for those activities.*

18    (c) *The Department of Fish and Game shall, upon the request*  
19    *of the Wildlife Center, release the remains of Cotie, a*

1 *seven-year-old dog/coyote hybrid that was confiscated at the center*  
2 *by a warden of the Department of Fish and Game, to the Wildlife*  
3 *Center.*

4 *SEC. 3. The Legislature finds and declares that a special law*  
5 *is necessary and that a general law cannot be made applicable*  
6 *within the meaning of Section 16 of Article IV of the California*  
7 *Constitution because of the unique circumstances surrounding the*  
8 *ownership and operation of the Wildlife Center.*

9 *SEC. 4. No reimbursement is required by this act pursuant to*  
10 *Section 6 of Article XIII B of the California Constitution because*  
11 *the only costs that may be incurred by a local agency or school*  
12 *district will be incurred because this act creates a new crime or*  
13 *infraction, eliminates a crime or infraction, or changes the penalty*  
14 *for a crime or infraction, within the meaning of Section 17556 of*  
15 *the Government Code, or changes the definition of a crime within*  
16 *the meaning of Section 6 of Article XIII B of the California*  
17 *Constitution.*

18 ~~SECTION 1. Section 10 of the Food and Agricultural Code is~~  
19 ~~amended to read:~~

20 ~~10. Whenever any notice, report, statement, or record is~~  
21 ~~required by this code, it shall be in writing, which may be~~  
22 ~~transmitted electronically or by facsimile, unless it is expressly~~  
23 ~~provided that it may be oral.~~